

COMMONWEALTH OF MASSACHUSETTS

State Building Code (780 CMR) Appeals Board

Board's Ruling on Appeal¹

Docket No. 08-640

Appellant(s): Rockwood Edwards

vz. Appellee(s): City/Town of Boston
Douglas Wohn

Procedural History

This matter came before the State Building Code Appeals Board (“Board”) on the Appellant’s appeal filed pursuant to 780 CMR 122.1. In accordance with 780 CMR 122.3, the Appellant requested that the Board grant him a variance from 780 CMR 1019.4, for 95 Haverhill Street, Boston, MA. In accordance with GL c. 30A, §§10 & 11; GL c. 143, §100; 801 CMR 1.02 *et. seq.*; and 780 CMR 122.3.4, the Board convened a public hearing on October 2, 2008 where all interested parties were provided with an opportunity to testify and present evidence to the Board.

The Appellant appeared for the hearing *pro se*. Gary Moccia from Boston ISD and others were present as well as shown on the sign in sheet that is on file with the Department of Public Safety.

Discussion

A motion was made to grant the Appellant's request for a variance from 780 CMR 1019.4, and allow egress travel distances in the horizontal exits, as outlined in the testimony and found in more detail in the Schirmer Engineering report dated August 6, 2008. The motion noted that the Boston ISD had no objection to the granting of the variance. There was a second on the motion and a board vote was taken, which was unanimous.

Conclusion

The Appellant's request for a variance from 780 CMR 1019.4, is hereby granted and so ordered² on this date: October 2, 2008.

Douglas Semple
Douglas Semple

Jacob Nunnemacher

Brian Gale

¹ This is a concise version of the Board's decision. You may request a full written decision within 30 days of the date of this decision. Requests must be in writing and addressed to: Department of Public Safety, State Building Code Appeals Board, Program Coordinator, One Ashburton Place, Room 1301, Boston, MA 02108

²In accordance with M.G.L. c. 30A, §14, any person aggrieved by this decision may appeal to the Superior Court within 30 days after the date of this decision.